

REMARKS

Claims 1-31 are all the claims pending in the present application. Claims 1, 2, 16, 17, and 31¹ are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Lemmons et al. (U.S. Patent Application Publication No. 2003/0115603) in view of Scheelke et al. (U.S. Patent Application Publication No. 2006/0259926). Claims 3, 4, 8, 10, 14, 15, 18, 19, 23, 25, and 29-30 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Marics et al. (U.S. Patent Application Publication No. 2004/0078810) in view of Lemmons, and further in view of Scheelke. Claims 5, 7, 9, 20-22, and 24 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Marics in view of Lemmons, in view of Scheelke, and further in view of Inoue (U.S. Patent No. 7,065,777). Finally, claims 11, 13, and 26-28 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Marics in view of Lemmons, in view of Scheelke, and further in view of Knudson (U.S. Patent Application Publication No. 2007/0288958).

§103(a) Rejections (Lemmons/Scheelke) - Claims 1, 2, 16, 17 and 31

Claims 1, 2, 16, 17 and 31 are rejected based on the reasons set forth on pages 2-4 of the present Office Action.

Lemmons is directed to interactive program guide systems and related processes which can automatically tune a television, or program a VCR, based on program selections made from program schedule information displayed on a television or other suitable video monitor. The interactive program guide is preferably implemented using a microprocessor-controlled set-top box that is coupled to the viewer's television set. The set-top box receives program schedule

¹ Claims 31 is a multiple dependent claim.

information and software from a headend telecasting center. Preferably, program schedule information for the current day and at least six subsequent days is stored in a memory within the set-top box. The interactive program guide provides a display mode for allowing the viewer to apply a restrictive search selection criterion and a nonrestrictive sort attribute to the program schedule information. *See Abstract of Lemmons.*

Scheelke is directed to an electronic content guide. The electronic content guide preferably includes a source field for listing content sources and output devices. The electronic content guide also includes a first content field for listing schedule data corresponding to first content data presently available for viewing from each one of the content sources and for listing display information corresponding to the first content data being displayed for viewing at a present time by each one of the output devices. Preferably, the source field and the first content field are displayable in parallel columns. The electronic content guide can also include a second content field, displayable in a column parallel to the source field and the first content field, corresponding to a second content data. In one embodiment, the first content data from each content source can be displayed simultaneously on more than one of the output devices. *See Abstract of Scheelke.*

With respect to independent claim 1, Applicants submit that the applied references, either alone or in combination, do not disclose or suggest at least, “a user-selected information input unit which receives user-selected information including day information about broadcast days from a user,” and “a program cell display unit which displays program information corresponding to objects, which are based on the user-selected information and the day information input to the user-selected information input unit, as a program cell having a uniform

format, regardless of a predetermined characteristic of the program information,' as recited in amended claim 1.

Applicants submit that amended independent claim 16 is patentable at least based on reasons similar to those set forth above with respect to independent claim 1.

Applicants submit that dependent claims 2, 17, 31/16, and 31/17 are patentable at least by virtue of their respective dependencies from independent claims 1 and 16.

Further, with respect to dependent claim 2, Applicants submit that the applied references, either alone or in combination, do not disclose or suggest at least, "wherein the user-selected information further includes mode information about display modes, the program information comprises program title information, broadcast time information, viewer age restriction information and pay-per-view information, and the predetermined characteristic of the program information is a length of a broadcast," as recited in amended claim 2. Claim 2, which includes the features of the base claim 1, requires that program information is displayed as a program cell having a uniform format, and the program information is defined as comprising program title information, broadcast time information, viewer age restriction information and pay-per-view information. Nowhere do either of the applied references disclose such specific program information as a single program cell having a uniform format, as required by claim 2/1. The Examiner cites to different portions of Lemmons (e.g., Fig. 3, Fig. 8, and Fig. 7) to allegedly show the different features that constitute the program information. However, nowhere does Lemmons nor Scheelke disclose or suggest program information comprising the above described features as a single program cell having a uniform format. Obviously, the Examiner has utilized impermissible hindsight reasoning in determining that the above-discussed feature is allegedly satisfied by the applied references.

At least based on the foregoing, Applicants submit that claim 2 is patentably distinguishable over the applied references, either alone or in combination.

Applicants submit that claims 17 and 31/17 are patentable at least based on reasons similar to those set forth above with respect to claim 2.

Also, Applicants note that the Examiner does not address claims 31/17-31/30 in the Office Action. Therefore, Applicants submit that these claims should be indicated as containing allowable subject matter. If the Examiner wishes to reject these claims in a future Office Action, then Applicants respectfully request that the Examiner issue a new Non-Final Office Action, thereby addressing these claims.

§103(a) Rejections (Marics/Lemmons/Scheelke) - Claims 3, 4, 8, 10, 14, 15, 18, 19, 23, 25, 29 and 30

Claims 3, 4, 8, 10, 14, 15, 18, 19, 23, 25, 29 and 30 are rejected based on the reasons set forth on pages 4-13 of the present Office Action.

Marics is directed to a method and system for performing actions related to programming in an electronic program guide (EPG). The method includes receiving a signal indicating the selection of a specific program displayed in the EPG and receiving a signal specifying an action command to be applied to the selected program. The method further includes processing the signals to determine an appropriate content window to be displayed corresponding to the action command. *See Abstract of Marics.*

Lemmons and Scheelke are described above.

With respect to independent claim 3, Applicants submit that the applied references, either alone or in combination, do not disclose or suggest at least, “a program cell display unit which extracts program information corresponding to a mode, which is based on the mode information input to the mode information input unit, and a day, which is based on the day information input

to the day information input unit, from the program information stored in the program information database and displays the extracted program information as a program cell having a uniform format, regardless of a predetermined characteristic of the program information,” as recited in claim 3. (emphasis added) That is, the applied references, either alone or in combination, fail to satisfy the above-identified feature. For example, Lemmons fails to disclose the mode information and day information that are input at the same time. Lemmons merely teaches the program information that the mode information or day information indicates. Scheelke fails to disclose the program information that the day information indicates.

At least based on the foregoing, Applicants submit that independent claim 3 is patentably distinguishable over the applied references.

Applicants submit that independent claim 18 is patentable at least based on reasons similar to those set forth above with respect to independent claim 3.

Applicants submit that dependent claims 4, 8, 10, 14, 15, 19, 23, 25, 29 and 30 are patentable at least by virtue of their respective dependencies from independent claims 3 and 18.

Further, with respect to claim 10, Applicants submit that this claim is patentable at least based on reasons similar to those set forth above with respect to claim 2. Applicants submit that the new primary reference Marics does not make up for the deficiencies of the other applied references.

§103(a) Rejections (Marics/Lemmons/Scheelke/Inoue) - Claims 5-7, 9, 20-22, and 24

Claims 5-7, 9, 20-22, and 24 are rejected based on the reasons set forth on pages 13-21 of the present Office Action.

The Examiner has added a new reference, Inoue, in addition to the previously applied references to allegedly satisfy the features of claims 5-7, 9, 20-22, and 24.

Inoue is directed to a generated program guide, in which a plurality of program cells are arranged two-dimensionally based on a display priority level set corresponding to each of categories, a display mode corresponding to each of the categories, and program information. Thus, a user can identify a category via the corresponding display mode for displaying the corresponding program cells, in the program guide. The user can also view program cells in the display modes corresponding to respective categories, in the program guide, whereby the user can quickly locate an area or areas crowded with programs belonging to favorite categories. *See Abstract of Inoue.*

First, Applicants submit that dependent claims 5-7, 9, 20-22, and 24 are patentable at least by virtue of their respective dependencies from independent claims 3 and 18. Inoue does not make up for the deficiencies of the other applied references.

Further, with respect to claim 7, Applicants submit that the applied references, either alone or in combination, do not disclose or suggest at least, “wherein when an initial picture restoration command is input from a user, the program cell display unit extracts program information corresponding to a mode indicated by basic mode information and a day indicated by the current day information, from the program information stored in the program information database and displays the extracted program information as the program cell,” as recited in claim 7. The Examiner acknowledges that Marics, Lemmons and Scheelke fail to disclose the above quoted feature, however the Examiner alleges that Inoue makes up for these deficiencies of the previously applied references. Specifically, the Examiner simply cites Fig. 5, element 34 of Inoue to allegedly satisfy the above quoted feature. However, according to Applicants’ review of the cited figure and the labeled element, and the corresponding paragraphs of the specification, there is no indication in Inoue of what allegedly corresponds to the initial picture

restoration command that is input from a user in claim 7. Since this particular command is not identified by the Examiner nor disclosed or suggested in Inoue, Applicants submit that the applied references do not disclose or suggest the features of claim 7.

Applicants submit that claim 22 is patentable at least based on reasons similar to those set forth above with respect to claim 7.

Further, with respect to claim 9, Applicants submit that the applied references, either alone or in combination, do not disclose or suggest at least, a mode information icon display unit which displays the mode information respectively as at least one icon for the user and displays an icon corresponding to the mode which the mode information input to the mode information input unit indicates, in such a manner that the icon is distinguished from other icons,” as recited in claim 9. The Examiner cites Fig. 5, element 37 of Inoue as allegedly corresponding to the above quoted feature of claim 9. However, element 37 of Fig. 5 of Inoue is only a Favorite Category icon which adds the category of the selected program information into a favorite categories list. The cited portion of Inoue does not disclose or suggest a display unit which displays mode information respectively as at least one icon for the user and displays an icon corresponding to the mode which the mode information input to the mode information input unit indicates. In other words, the icon that is referred to in Inoue does not relate to displaying mode information.

Applicants submit that claim 24 is patentable at least based on reasons similar to those set forth above with respect to claim 9.

§103(a) Rejections (Marics/Lemmons/Scheelke/Knudson) - Claims 11-13 and 26-28

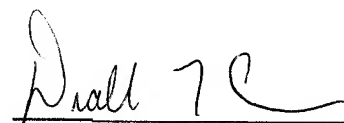
Claims 11-13 and 26-28 are rejected based on the reasons set forth on pages 22-27 of the present Office Action.

Applicants submit that dependent claims 11-13 and 26-28 are patentable at least by virtue of their respective dependencies from independent claims 3 and 18. Knudson does not make up for the deficiencies of the other applied references.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Diallo T. Crenshaw
Registration No. 52,778

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: February 17, 2009